IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6909 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

AJITABEN J BHOOT

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 6909 of 2002

MR NIRAV C THAKKAR for Petitioner No. 1

MR KP RAVAL, LD.AGP for Respondent No. 1-3

MR JR NANAVATI for Respondent No. 4

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 02/09/2004

ORAL JUDGEMENT

1. Mr.K.P.Raval, learned AGP, under the instructions from the office of District Education Officer, Jamnagar, states that the amount which has been referred in the order dated 18th August, 2004, namely Rs.3,39,805=61 ps. is sanctioned and will be paid to the petitioner within a period of one week from today.

2. Mr.Nirav Thakkar, learned advocate for the petitioner submitted that in this calculation bonus and other pensionary benefits which are required to be given to the petitioner as regular employee are not considered.

3. It is clarified that the payment is made pursuant to the order of this Court in Special Civil Application No.4867 of 1983 dated 9th January, 1984, and other grievances which has been raised in the petition are not considered for which the petitioner will make representation to the respondent No.3 and the same will be considered, if other similarly situated persons are granted benefits, the petitioner will also be granted such benefits. The petitioner will make representation within one month and same shall be considered within three months from the receipt of the representation.

4. It may be noted that, as stated in the order dated 18th August, 2004, the payment of Rs.29,783=00 is made by the Jamnagar Municipal Corporation - respondent No.4 herein and the rest of the payment is required to be made by the respondent No.3 and not by respondent No.4.

5. It is clarified that the pension and other benefits will be fixed by the respondents in view of the acceptance of the order of this Court in Special Civil Application No.4867 of 1983. Rule is discharged with no order as to costs.

(K.S. Jhaveri, J.)

syed/